

REC'D PCT/PTO 17 NOV 2005

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : WOOLFE, Austen John
: LANGFORD, Alan Keith
: ALLEN, Jacqueline Yvonne
: ELLIOT, Mark Clifford
Serial No. : 10/516,943
Title : PHARMACEUTICAL COMPOSITION
Attorney
Docket No. : NHC0103-USA

RECEIVED

20 JAN 2006

Legal Staff
International Division

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
United States of America

Sir:

PETITION UNDER 37 C.F.R. 1.47 (a)

This is a petition for this application to be made by Austen John Woolfe and Alan Langford on behalf of themselves, Jacqueline Yvonne Allen and Mark Clifford Elliot.

It has not been possible to obtain the signatures of the other two inventors: Jacqueline Yvonne Allen and Mark Clifford Elliot. Jacqueline Yvonne Allen has refused to sign the declaration, and after diligent effort Mark Clifford Elliot cannot be found.

At the time that the present invention was made, Ms. Allen and Mr. Elliott were working as contractors for Norton Healthcare Limited. Both Austen John Woolfe and Alan Langford were employees of the company.

During the international phase of this application, each of the four inventors signed a Power of Attorney appointing the undersigned as their agent. Copies of these are attached.

Subsequently, Ms. Allen and Mr. Elliot ceased to be contractors for Norton Healthcare Limited.

Diligent efforts have been made by members of the Patent Department of Norton Healthcare Ltd. to locate Ms. Allen and Mr. Elliot and obtain their signatures on the declaration, but these efforts have been unsuccessful.

A Declaration by a member of the patent department of Norton Healthcare Ltd., is attached, providing details of the efforts made.

The current address of current address of Jacqueline Yvonne Allen is:

13 Peartree Avenue
Earlsfield
London
SW17 0JG
United Kingdom

The current address of Mark Clifford Elliott is not known. His last know address was:

40 Farleigh Road
Stoke Newington
N16 7th
United Kingdom

Given the difficulty of obtaining signatures from two inventors, Austen John Woolfe, co-inventor, has signed the declaration on behalf of both Jacqueline Yvonne Allen and Mark Clifford Elliot as required by 35 CFR 1.63(d) (3)(ii).

Respectfully submitted,



Michael A. Steinberg, J.D., Ph.D.

Attorney for Applicant

Registration No. 43,160

Phone: 305-575-6061

Facsimile: 305-575-6064

Customer No. 42159
IVAX Corporation
4400 Biscayne Boulevard
Miami, Florida 33137
United States of America

Encl: Declaration

Copies of the Powers of Attorney executed by each of the inventors during international phase.

CERTIFICATE OF MAILING (37 C.F.R. § 1.10)

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below.

Date: 11/17/05

By: Margali C. Cantu